

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
STEVE D. HEKKEL, ) CASE NO. 04-64938 JPK  
 ) Chapter 11  
Debtor. )

ORDER REGARDING FILED DOCUMENTS

On July 31, 2007, American Savings, FSB, by counsel, filed a document entitled "American Savings, FBS's Motion for Order Approving Receiver's Accounting Through 5/15/07, and for Order Approving Allocation and Distribution of Funds Held by Receiver and Debtor's Attorney", together with a document "Notice of Motion and Opportunity to Object" with respect to that motion. Both of these documents were filed on the record of adversary proceeding number 06-6261.

First, the utilization of a "drop dead" notice is limited to the circumstances described in the rules of the United States Bankruptcy Court for the Northern District of Indiana, most specifically in N.D. Ind.L.B.R. B-2002-2. The foregoing motion is not within the scope of that rule, and thus the "drop dead" notice is totally ineffective.

Secondly, the Court deems the motion to be more properly addressed in the debtor's main case, rather than in the adversary proceeding.

IT IS ORDERED that the Notice of Motion and Opportunity to Object filed on July 31, 2007 is of no effect.

IT IS FURTHER ORDERED that the Clerk shall docket the two documents described above in the record both of adversary proceeding number 06-6261 and in case number 04-64938. A copy of this order shall be similarly docketed in each of those records.

IT IS FURTHER ORDERED that a preliminary hearing will be held on **September 12, 2007, at 11:00 A.M.** with respect to the foregoing motion.

Dated at Hammond, Indiana on August 13, 2007.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

Distribution:  
Debtor, Attorney for Debtor, US Trustee, Attorney for Creditor